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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/813,408

03/29/2004

Charles Leu

5646

25859

7590

01/19/2006

WEI TE CHUNG  
FOXCONN INTERNATIONAL, INC.  
1650 MEMOREX DRIVE  
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EXAMINER

REHM, ADAM C

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/813,408	Applicant(s) LEU ET AL.	
	Examiner Adam C. Rehm	Art Unit 2875	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/29/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 4 recites the limitation "the intensified diffusion section" in Lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over SASAKI (JP 07-288023) and KOENCK (US 5,673,999). SAKSI discloses a liquid crystal display (Paragraph 1) comprising:

- A diffusion board having an emitting surface and an incident surface (either side of 14, Fig. 7);
- A contoured light source arranged behind the incident surface and emitting light toward the incident surface in a direction perpendicular to said incident surface (13);

- Wherein the diffusion board has at least two different areas, each having a different density/ratio of masking of light-enhancing material mixed therein to provide different index of refraction, each corresponding to the contour of the light source thereby eliminating a shadow image viewed from the liquid crystal display (Paragraphs 3, 6, 19, 26); and
- A light-enhancing plate to intensify luminance emitted from the diffusion board (112a).

3. SASAKI discloses the claimed invention including a light-enhancing/opalescent material arranged on a diffusion board to correspond with the contour of a backlight, but does not specifically disclose fluorescent material or a material that has thinner application on the board surface area directly adjacent to the light source relative to other areas. However, adding fluorescent material in order to modify emitted light is notoriously known in the art and KOENCH teaches the use of fluorescent material to produce various lighting conditions (Column 4, Lines 7-16). It would have been obvious to one of ordinary skill in the art at the time of invention to modify SASAKI and use the fluorescent material as taught by KOENCH in order to modify emitting light to produce desired emitted light.

4. Notably, SASAKI discloses the use of a material of varying ratio in order to alter and homogenize the light emitted from a contoured backlight. While SASAKI discloses the inverse of Applicant's claimed invention, i.e. a thicker area adjacent to the light versus a thinner area adjacent to the light, the general concept of contouring a light-altering material respective to a contoured backlight is disclosed. The fact the two are

inversed is inconsequential because both accomplish the same function via the same concept. Likewise, it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70. It would have been obvious to one of ordinary skill in the art at the time of invention to modify SASAKI and use contoured fluorescent material in areas indirect to the contoured backlight as opposed to contoured opalescent material in areas direct to the contoured backlight in order to provide uniform light across the diffusion board.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5.     HEEKS (US 2003/0193796) discloses a plurality of light emitting areas.
6.     FAN (US 2003/0142487) discloses depositing of specific materials on the diffusing plate above a backlight for emitting uniform light.
7.     MOON (US 6,824,287) discloses a backlight and a fluorescent light-enhancing sheet.
8.     WATAL (US 6,199,994) discloses a backlight with fluorescent material arranged to achieve desired light emission.
9.     NAKAGAWA (US 6,120,160) discloses a backlight and a fluorescent light-enhancing sheet.
10.    HOOKER (US 5,477,422) discloses a light diffusing coating contoured to a backlight.

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11. MIZOBE (US 5,057,974) discloses light-enhancing particulates embedded in a diffusing plate in increasing density with increasing distance from a backlight.

12. MOROHASKI (US 4,267,489) discloses a light diffusing coating contoured to a backlight.

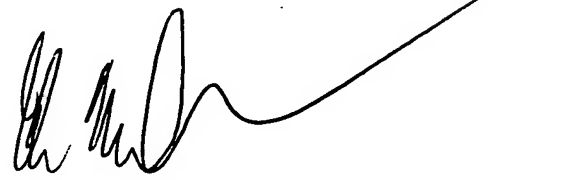
### ***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam C. Rehm whose telephone number is 571.272.8589. The examiner can normally be reached on M-F 9-5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571.272.2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ACR  
1/3/2006



**THOMAS M. SEMBER**  
**PRIMARY EXAMINER**